IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2218 OF 2005

Naushad Ahamed ...Applicant

Versus

Irshad s/o Maktumsab Belgaumi
and another ...Respondents

.....

Mr. Harshad Palwe, Advocate for Applicant.

Ms. S.V. Gajare, A.P.P. for State.

.....

ALONGWITH
CRIMINAL APPLICATION NO. 2219 OF 2005

Naushad Ahamed ...Applicant

Versus

Salim s/o Muktumsab Belgaumi
and another ...Respondents

.....

Mr. Harshad Palwe, Advocate for Applicant.

Mr. S.R. Shinde, A.P.P. for State.

.....

CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 28TH JUNE, 2005

P. C.:-

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant has prayed for quashing of

complaint Nos.1845 of 2003 and 1846 of 2003 which are pending in the Court of learned J.M.F.C. at Thane. In the said case, process has been issued against the applicant under Section 138 of Negotiable Instruments Act.

3. For the reasons recorded in my order dated 13th June, 2005 passed in Criminal Writ Petition No.213 of 2005 and order dated 21st June, 2005 passed in Criminal Application No. 550 of 2005, the applicant has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the applicant prefers revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicant to prefer revision before the concerned Sessions Court. The trial Court shall not proceed with the case for a period of three weeks from today.

5. On the necessary revision being preferred by the applicant before the concerned Sessions Court, the concerned Sessions Court shall dispose of the same on merits after hearing necessary parties.

6. Criminal applications are disposed of.

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